

COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XVII. No. 11.]

LONDON, SATURDAY, MARCH 17, 1810.

[Price 1s.]

There is a *sinecure place*, which is, at present, held by the EARL OF BUCKINGHAMSHIRE (late Lord Dartmouth), which place is worth £.11,094, or, in words, *eleven thousand and ninety-four pounds*, a year. The reversion of this enormous salary, that is to say, the possession of it *after the present possessor's death*, has been obtained and secured by LORD HARDWICKE, not only for himself during his life, but, and that, *for the lives of his two sons*; and, this Lord Hardwicke is, as the reader will recollect, a brother of MR. CHARLES YORKE.

MR. CHARLES YORKE, of whom the public has, within the last twelve months, heard so much; that MR. CHARLES YORKE, who, upon Mr. Warille's opening of the Charges against our late Chieftain, solemnly declared his belief that there was a Jacobinical Conspiracy on foot against the illustrious House of Brunswick; that Mr. Charles Yorke, who, from the moment the Walcheren Inquiry began, moved the standing Order for shutting the Debate Reporters out of the Gallery; that Mr. Charles Yorke, who, when a motion was made for Inquiry, which motion was opposed by the minister, declared that he thought it his duty to stand by the minister, because the minister had resolved to stand by the king; that very Mr. Charles Yorke, has, within this week, received through the hands of that same minister, a grant, for life, of a *sinecure place*, (or place where nothing is to be done) called a Tellership of the Exchequer, worth £.2,700 a year; that is to say, he has thus secured, for his whole lifetime, a thousand seven hundred pounds a year to be paid to him out of the taxes, raised upon the people of England.

"Off! Off! No mock Loyalty! No Cant!"

SUMMARY OF POLITICS.

CAMBRIDGESHIRE ELECTION.—In my last Number, at the close of a *Letter to the Freeholders of the County of Cambridge*, I expressed my intention of addressing another Letter to them, upon the same subject; but, I am happy to perceive, that they neither *want* nor *wanted*, any Letter from me, or from any body else, to induce them to act a part worthy of uncorrupted Englishmen; Englishmen having still a proper sense of what is due to them from their rulers. The reception, which MR. CHARLES YORKE, that constant supporter of every measure hostile to the public purse, and to public freedom; the reception which this gentleman met with at Cambridge, at the *Nomination*, on Tuesday last, the 13th instant, is, however, of great importance, in many points of view, that a particular account of it demands, in my opinion, the precedence of all other matters, with the sole exception of that, to which I shall, in the latter part of this Number, have to call the public attention.

In my next, which will be a *double number*, I shall insert all the speeches, at full length, made upon this memorable occasion. What I shall now offer to the reader will be merely an account of what passed, upon the occasion referred to, to-

gether with such observations as have occurred to me thereon, and as I am led to hope may be of some little use in furthering the great work of effecting a *legal and constitutional reform* of that House, who, last year, rejected MR. MADOCKS's motion for an inquiry into the *sale of seats*; that House, who, this year, have voted away 2,000*l.* a year of our money for three generations to the man who left his sick and wounded to the mercy of the enemy, upon the very spot whence he takes his title of Viscount; that House, who, while we are actually sinking under our burdens, have just voted nearly a million of money for the purpose of taking 30,000 Portuguese troops into our pay; that House, who, while it has, this Session, reduced the numbers of our *native* army, has augmented the *German* army, now maintained in this kingdom; that House, in short, without a reform of which no good can be expected, no change for the better, no alleviation of our burdens, no punishment on the heads of Public Robbers, no justice for an injured and insulted people.—The first circumstance, which I have to notice, is, to me, a most pleasing one, namely, that, in opposition to MR. YORKE, or rather his intolerant and tyrannical principles, there appears to have been arrayed, not only great talents, but *great property and high rank*. A MR. KEENE

proposed Mr. Yorke and was seconded by a MAJOR PEMBERTON. These are men who may be known in their *neighbourhoods*; but, they are utterly unknown in the *nation*; while, on the other side, we see LORD FRANCIS OSBORNE proposed by the MARQUIS OF TAVISTOCK, seconded by MR. BRAND, men who are well known to the whole nation, and to receive praise from whom is, of itself, no small honour.—Mr. Yorke seems to have been surprized at the thunder of indignation, with which he was received by those who had sent him to parliament for 20 years past; and he complained grievously of the being *refused a hearing*.—Oh! then it was that he might have been reminded, that Mr. GALE JONES was, upon *his motion*, sent to Newgate, *without any trial*, there to be kept *during the pleasure* of those who sent him: and then it was that he might have been reminded, too, that he was one of the forwardest in supporting Pitt in the measure for suspending the *Act of Habeas Corpus*, in consequence of which suspension, so many persons were sent to prison, and there kept, *for years, without any trial*, without *any crime alledged against them in any court of justice*, and when finally let out of prison (those who *lived to be let out*), *without being able to obtain any redress*. While the air was ringing with shouts of indignation at the very sight of him, and when, in a few hours after, he intimated his intention of declining the contest; in those moments of humiliation he must, one would suppose, have reflected a little upon his past manly conduct, and upon the sufferings of Mr. GALE JONES, who, upon his motion, had been sent to Newgate (where he then was, and where he still is) for having called Mr. Yorke's conduct, in shutting the Gallery, "*an outrage upon public feeling*," and having advertised his intention of having a *discussion* thereon. For this was Mr. Gale Jones, *without any trial*, and by the sole power of the *offended party*, sent to jail; and, upon this point, as well as others, did the Freeholders of Cambridgeshire express their opinion. Mr. Gale Jones proposed to *discuss* the conduct of Mr. Yorke, in causing the Gallery to be shut, and Mr. Yorke caused him to be put into jail for such proposition; but, the first greeting he got from the Freeholders of Cambridgeshire, from those who sent him into the House of Commons, was, "*Off, off, clear the Gallery! Is it again to clear the Gallery that we are to re-elect you?*"

Disfranchisement.

This was the first salute he received, not from a *rabble*, as he would have called the people in Westminster, but from the very persons who had sent him to parliament: these very persons saluted him with a repetition of that for having uttered which he had caused Mr. GALE JONES to be sent to Newgate. What a rich thing it would be, if he were, after getting in again, through the stinking channel of some rotten borough, to move for the sending of his old constituents to Newgate! And, why not! They told him, not only of shutting the Gallery, but of many other of his parliamentary feats, many other his despotic acts and attempts, such as moving for the *imprisonment* of Mrs. CLARKE, during the investigation about the Duke of York. Well, then: why not bring up his old constituents, and put them in jail too? What right had the House to put Mr. Jones in jail, any more than they would have to put the Freeholders of Cambridgeshire in jail? — This, by-the-bye, is a question that must not be dropped. The House has negatived Sir FRANCIS BURDETT's motion, and some of them have declared, that they have the right of committing people to jail, who do not belong to their own body; but, this is a point which is yet to be discussed. It is yet to be *settled*, and made known to the world, whether there does really exist, in England, any man, or any set of men, having the legal right of sending whom they please to prison, *without a trial*, and keeping persons, so sent to prison, in prison *during the pleasure* of the party exercising such power. Yes, sure; we will endeavour to *ascertain* this point; we will endeavour to know, whether there be, in England, any body who can, at any time, seize any of us and put us into jail, and keep us there, during their pleasure. We will find out, and we will, before we boast any more about our *liberties*, fix the point, whether our "*representatives*" have the "*privilege*" of laying any of us by the heels, whenever they choose, and of keeping us so laid by the heels as long as they choose. I, for my part, never yet did vote for any member of that honourable House, in which Mr. Madocks's motion was negatived; and, I am sure I never will; I am quite sure that I never will vote for any one; yes, I am quite sure, that I never will help to choose any man to *represent* me, unless he will first promise me never to bring me before him and lay



by the heels. Mr. Jones seems, from an excellent Letter,* to be resolved to bring this matter fairly and legally to issue, and, in so doing, he will confer a great benefit upon the country.—In relating to the Cambridgeshire election, it is not the mere circumstance of driving away Mr. Yorke so much as the principles, upon which it was done, that is of importance to the public. He was not opposed on the old stale ground of *party*. It was not by a body of people, brought forward by great political leaders, that he was voted off. It was by the real freeholders of a county, moved by *principle* and not by the weight of what is usually called *interest*.—The speeches of the Marquis of TAVISTOCK, Mr. GUNNING, Mr. BRAND, and the Rev. Mr. BROWN, most ably and clearly state the grounds, upon which Mr. Yorke was driven away: namely, That he has been an uniform Supporter of an Adminis-

tration, by whom the *pressure of taxation* has been increasing, until it is almost intolerable;—that he has supported those, under whom *hordes of Foreign Troops* have been introduced into this country, in defiance of every constitutional provision, and to the hazard of our rights and security;—that, upon a late Inquiry, he revived the old exploded cry of *Jacobinical Conspiracy*, with a view to prevent the adoption of the honest and unprejudiced opinion, which the nature of the charges against the Duke of York was calculated to produce;—that he has recently endeavoured by *enforcing the Standing Order*, to deprive the people of the slender and melancholy consolation of knowing who were the authors of their calamities;—in short, said the Marquis of Tavistock, such have been the political acts of Mr. Yorke, that, “*if the people were fully and fairly represented in parliament*, he might go from county to county, from town to town, and would not get a single elective body to confide in him.”—MR. GUNNING, whose speech was not inferior to that of the Marquis of Tavistock, charged Mr. Yorke with having, from the first to the last moment of his career, been the advocate of every *oppressive act*, and the enemy of every attempt to *restore the blessings of the constitution*;—with having supported every measure for *increasing the burdens and diminishing the liberties* of the people;—with having been amongst the foremost in supporting the *suspension of the Habeas Corpus Act*, and for *inflicting torture in Ireland*;—with having advised and justified the *ignominious Treaty of Amiens*, though he had denounced as *traitors and jacobins* all those who had, for years before, hinted at the necessity of peace between this country and France;—with his having attributed Mr. WARDLE’s charges to a *Jacobinical Conspiracy against the House of Brunswick*, though the investigation brought to light acts exceeding all others in grossness of corruption, in barefacedness of profligacy, in degradation of manners, though venality was proved in every department of the state, though the church was found not free from its baleful influence, though even its most dignified preferments were attempted to be procured through the intervention of a strumpet, yet this conscientious and uniform patriot could conceive no danger but from a *conspiracy of the press*;—with having proposed to have Mrs. Clarke, a wit-

To Sir Francis Burdett, Bart.

SIR; I request permission to offer the tribute of my unfeigned thanks for your most able, legal, constitutional, unanswerable, and unanswered defence of the Rights and Liberties of the People, which you are of opinion, have been violated in my person. So strongly fortified is my mind, by the authority of your judgment; so fully assured am I that no Englishman can sustain any wrong, without having some remedy, that I am firmly convinced the House of Commons never had, nor could have, the privilege of exercising the power of passing a sentence of imprisonment upon any person, not a member of its own body, whilst the common law, Magna Charta, the Petition of Right, the Bill of Rights, the Act of Habeas Corpus, and the Act of Settlement, are the unrepealed laws of the land. Therefore I will never so far degrade my character, as humbly to petition for my liberty, which I boldly claim as my right.

“Forgiveness to the injur’d doth belong,

They never can forgive, who do the wrong.”

Nor will I, “from a slavish fear, or private policy” compromise the Liberty of my fellow-subjects, by allowing a precedent to be drawn from my acquiescence, which, though it may relieve my weakly frame from a prison, must plant a sting for ever in my mind.—I have the honour to be, Sir, with the highest respect, your most humble servant,

JOHN GALE JONES.

State Side of Newgate, March 13, 1810.

ness at the bar of the House, imprisoned, during an adjournment;—with having, upon all occasions, been the steady assistant of every minister, in doing whatever was inimical to the rights and liberties of Englishmen;—And, can you, said Mr. Gunning, “suppose that he made himself thus active, and thus obnoxious, without any view to *personal advantage*?” “Indeed, it is much more probable, that he has since delivered in his bill of work *done for the ministry*.”—MR. BRAND accused him of having been constantly a supporter of those, who were ever endeavouring to excite one part of the people against the other; to propagate suspicions of disaffection and of treason, to set Englishman against Englishman, and this was, he said, a permanent unvarying part of their policy.—THE REV. GEORGE BROWN exhorted the meeting to prove to the country their sense of patriotism and public spirit “by rejecting with marked disregard their late Member Mr. Yorke. He had, forsooth, complained of the misrepresentation of his speeches; could he say that his votes were misrepresented? When did he ever vote in favour of constitutional freedom?—or, what was the measure which went to infringe that freedom that had not his support? Was he not the principal actor in upholding an incapable, profligate, and contemptible Administration; men who came into office upon the diabolical war-whoop of religious dissensions, and who have shown their attachment to the sacred precepts of religion, by an open violation of the laws of God and Man?”—THE MARQUIS OF TAVISTOCK, at the close of the debate, said, that Mr. Yorke was now the hired advocate of Ministers, and had received his retaining fee.—Well; what had he to say, in answer to all these charges? I will, even here, give the whole of his speech, as I find it reported amongst the others, as far as it relates to any thing but mere county matters, and even that part shall be inserted in my next.—He denied that he had ever brought forward the Cavalry Bill alluded to, or that he was a Member of the Cabinet at the conclusion of the Treaty of Amiens. As to the charges against the Duke of York, although he thought in his conscience that the Duke was not guilty of corruption or criminal connivance, yet, that from the high rank he held in the State, and the example he was bound to shew, that it was very improper for him

“to connect himself, as he had done, with a woman of such notorious character as Mrs. Clarke. If that question had come on before the other, he should have voted for it. With respect to charging the Press of London, with being engaged in a Conspiracy, he avowed the charge, and would say, that it still exists. He complained that every thing he said in the House of Commons was misrepresented; and could appeal to Mr. Brand, and to the Marquis of Tavistock, whether at this moment, there existed not a conspiracy among them not to report the speeches of Mr. Tierney and Mr. Windham.—[A laugh!]

He believed that there was now a conspiracy to misrepresent or suppress all that was said by persons who were not favourites of the London Editors. That a great conspiracy did exist against the Duke of York was, as he thought, sufficiently proved by the Jury, who, in the action against Mr. Wardle, in which Mr. Glenie and Major Dodd were implicated, conceived that there was a conspiracy to run down the Duke, and in this conspiracy he conceived the London Press a party.—Much had been said upon the Standing Order of the House of Commons. It was not merely intended that because the Gallery was sometimes open to strangers, that therefore the people of England had a right to be present at every discussion of their Representatives; in such case, in place of St. Stephen’s Chapel, Parliament should be assembled upon Salisbury Plain. The Gallery of the House of Commons did not hold above 150 persons, and was generally filled with Reporters, Editors, and Proprietors of the London Newspapers. The Order of the House, which he had enforced, was settled shortly after the Revolution, by those great men whose conduct it would be always his pride to imitate.—His object in enforcing that Order at the present was to guard against the gross misrepresentations, the gross mistakes, and he would say, the wilful misrepresentations given of the proceedings of the House of Commons. He wished also to be considered as by no means hostile to an inquiry into the late Expeditions, though he opposed motions which were substantially a condemnation before inquiry. It was not necessary for him to enter into any defence of his general conduct. [“No indeed!”] He had ever been the active

opposer of those who, either at home or abroad, were endeavouring to destroy the greatness of Old England. [*Cries*—“*Off, off! no mock loyalty, no cant!*”] As much misrepresentation was circulated about the nature of the office which it had pleased his Majesty” [not his Majesty, but his Ministers] “to confer upon him; he begged to say that it was an ancient and honourable one, regulated by acts of Parliament, and *not paid*, as was industriously stated, *out of the public taxes*. The salary was made up by *small fees* levied upon every *issue of money from the Exchequer*, and did not amount to more than 2,300*l.* per annum.”—Very good indeed! “*Off! off! No mock loyalty! no cant!*” He little expected this, when he was talking of “*standing by the minister*,” because he had resolved “to stand by his gracious sovereign.” He little thought, that the Freeholders of Cambridgeshire saw so clearly into his *true* character and his real views. “*No mock loyalty! no cant!*” at once gave a lesson to the mock loyalists, to the jubilee men, and an example to the wretches, who, by fraudulent pretences about loyalty have so long succeeded in blinding and robbing this nation.—His salary *not come out of the taxes*? What an impudent assertion! Why, are not the fees paid out of the money issued from the Exchequer? And what money is that but the money collected from the people in taxes? The salary is not paid by a *tax-gatherer*, indeed; but, what a miserable quibble is this, and how clearly does the use of such a quibble show the want of any fair grounds of defence!—The amount, too, how dares he say, that it is only 2,300*l.* a year, when it stands, even in the parliamentary return, at 2,700*l.* which is well known to be stated as low as, by any contrivance, by any shew of accuracy, it can possibly be stated?—What he is stated to have said against Messrs. Wardle, Glennie, and Dodd is as untrue, besides being deeply imbued with the speaker’s usual malignity. What *conspiracy* was proved against the Duke of York? Who ever dreamt of a calumny like this, except Mr. Yorke? It was proved, indeed, that those gentlemen had been all assisting to get from Mrs. Clarke proofs against the Duke of York; but, proofs of what? of *falsehoods*? no, but of those disgraceful and damnable truths, which were afterwards made apparent to this insulted nation, and for having

done which, those gentlemen have received, and will continue to receive, the heart-felt thanks of every honest man in this kingdom. *Conspiracy*, indeed! Was it a conspiracy of Mr. Wardle, Mr. Glennie, and Mr. Dodd, that induced the Duke of York to write the *Darling Letters*? Was it their conspiracy that caused the ever-famous *Note to be written to Tonym*? Was it their conspiracy that induced the Duke to get the pious O’Meara, the man of celestial unction, leave to preach before the royal family? Was it their conspiracy that gave commission and the command of English soldiers to a whore’s footboy, who, as some of the “*loyal*” contended, had the honour to be an officer’s *bastard*, but which was not true, the boy being the legitimate son of a very poor, but, I believe, very honest man? Was it their conspiracy that made Knight pay Mrs. Clarke 200*l.* on account of his brother’s Exchange? Was it their conspiracy that brought about the bargain between French and Sandon and Mrs. Clarke? Was it their conspiracy that made Dowler pay her for his place?—Why did he not say, at once, that it was the conspiracy of these three gentlemen, that caused all the illegal trafficking in Writerships and Cadetships; that made Lord Castle-reagh offer a Writership to be swapped for a seat in parliament; and, that produced all the facts, relative to the seat of Mr. Quintin Dick, mentioned in Mr. Madocks’s motion?—No: but which Mr. Yorke dislikes full as much, and a great deal more, their conspiracy *detected and exposed* the existence of all these infamous facts, and a most useful conspiracy it was. It gave rise to a quite *new way of thinking in the people*, who, all of a sudden, clearly saw what was meant by the cry about *jacobins and levellers*. It gave the first great blow to corruption of every sort. It enabled the people to judge of the House of Commons. It annihilated all confidence in party. It was a beginning of what will never end, until the people of England are in the enjoyment of their just and constitutional rights, and, of course, until the parliament be legally reformed and punishment inflicted upon every species of Public Robbery.—The rest of his Speech is wholly unworthy of notice. It is beneath any expressions of contempt that one can make use of. Its effect appears to have corresponded very well with its quality; for indignation more hearty and universal was, perhaps,

never expressed.—The Freeholders of Cambridgeshire have spoken the sentiments of the whole of the English people, who, let us hope, will, wherever they have an opportunity, follow the noble example. Mr. Yorke, upon the first appearance of the Charges against the Duke of York, cries out a Conspiracy of the Jacobins and the Press; he votes, all the way through, for the Duke of York; he votes for Lord Castlereagh and against Mr. Madocks's motion; he votes against the Inquiry into the Walcheren Expedition; he clears the Gallery; he declares, that he will stand by the jubilee minister, because the jubilee minister is resolved to stand by his gracious Sovereign; he gets a sinecure place; after all which he appeals to the Freeholders of the County of Cambridge to decide upon his conduct, and they, with both hands up-lifted, drive him from their presence. He calls us, the London Editors, Jacobins: he appeals from us to the quiet good sense and the loyalty of his native county; and, that county hoots him away, receives him with: "*Off! off! no mock loyalty! no 'cant'!*"—Verily such men do well to hate the Press. Were it not for the Press, their conduct would be unknown, or, at least, soon forgotten. For him who wanted to imprison Mrs. Clarke, while she was a witness at the bar of the House of Commons, it was very natural to use whatever means he had in his power to keep the Press at a distance from the scene another time.—It was well asked by the REV. MR. BROWN (and the better because by a *Clergyman*) whether the VOTES of Mr. Yorke had been *misrepresented*. Ave! there's the rub! and a rub, too, which will, I am confident, whenever the time comes, be felt by others, as well as by Mr. Yorke. For this reason it is, that it will be of the utmost importance, that those, who publish Lists of Majorities and Minorities, should be particularly careful to be correct; and that, when they publish Lists at all, they should publish Lists of *both sides of the question*.—For my part, I have no doubt at all, that, if every county and independent body of electors had the same sort of opportunity afforded them, that has been afforded to the Freeholders of Cambridgeshire, they would all act in the same manner. The number of Freeholders, in every county, who may act an independent part, if they will, is quite sufficient to insure the return of good members; and, again I cannot refrain from ex-

pressing my hope, that, in this way especially, the example of the county of Cambridge will be of great national utility.—It is the duty of every man, who has a vote to give, in the choice of members of parliament, to keep his eye steadily fixed upon the proceedings of that parliament, and to bear in mind what is the conduct of each of the present members upon every great constitutional question; every question involving the great and vital interests of the people. Nothing should be suffered to drive this out of a man's memory, and in every county, in particular, the conduct of the members should, by some means or other, be kept constantly before the eyes of the people.—Here I am obliged to break off, or to leave out the article which immediately follows, which nothing upon earth can induce me to do.

W^m. COBBETT.

London, 16th March, 1810.

CAPT. WARWICK LAKE.

The conduct of this man, which has hitherto escaped general notice, shall, if I have life to effect that object, be known in every part of the inhabited globe: it shall flow as widely as the waters, which surround the uninhabited rocks and swamps, on which poor ROBERT JEFFERY was landed and left. It was very much my wish to extend my observations upon matters, connected with the Cambridgeshire Election; and also to write upon several other topics, interesting at this time. But, this subject, the treatment of Robert Jeffery, demands precedence of all others. Viewing this subject in the light that I do, it would be infamous in me to lose one moment in calling the public attention to it.—At present I shall confine myself to the publication of the *Proceedings of the Court-Martial* (by whom Lake was tried at Portsmouth, on the 5th and 6th of last month) and of a *Letter*, written to MR. BRAGGE BATHURST, by a MR. THOMAS, which letter it was that led to the trial of Lake.—MR. THOMAS's letter will *speak for itself*; but, I trust, that care has been taken to provide for his speedy and safe return to England, in order that he may be further heard, by the House of Commons, or, at any rate, by the public.—These Papers were printed by Order of the House of Commons, on the 23rd of last month, having been moved for by SIR FRANCIS BURDETT, who, in the first place, mentioned the matter in the House,

[397]

and asked the ministers, the *king's servants*, whether they meant to take any steps relative to it. What they said to him in answer is of little consequence. He told them, that he should wait some days to see whether they took any steps, and that, if no steps were taken, he should make a specific motion upon the subject. This motion he made, and, in consequence of it, the public will now be in possession of that, of which, without his interference, it never would, in all probability, have got a sight.

—Besides the documents, I now publish, there are, a Letter from Lake to the Admiralty, an Opinion of Mr. Bicknell on the case, Proceedings of a Court of Inquiry, a Letter from Sir Alex. Cochrane, and a Letter from five officers (including the purser) of Lake's last ship, giving him a character.—All these I will publish in my next Number; but, as to the facts, these additional papers are quite immaterial.—To offer observations on either the crime or the evidence it is not now my intention. I wish to leave the reader to his own unbiassed judgment; but, I beg him to read with attention; and to dwell particularly on what is said about a belief that the Island was inhabited; about the reporting of poor Jeffery as having run away from the ship; about the interlineation of the Log-book, in which the landing of the man was, at first, omitted to be entered; about the sort of theft that Jeffery was charged with; about his having actually been flogged for that theft; and, above all, about his having been taken off by an American ship.—Upon this last point, I must remind the reader, that, just after the Court-Martial took place, and Lake was dismissed, there appeared, in all the London newspapers, a paragraph, stating, that the man, landed by Capt. Lake, had been taken off the Island by an American Ship. This was stated in the most positive terms. There was no doubt expressed as to the matter. The public in general, who had heard of the landing of the man, still thought the same of Lake's conduct; but, as the poor man had got off with his life and was safe, their indignation was assuaged. And, thus would the thing have gone off; thus would the public have been deceived, had it not been for Sir Francis Burdett, who seems to think that the personal liberty and the lives of his countrymen are matters of more consequence than the question of who shall be in and who out of place.—The public will now see what foundation there was for the story

about Jeffery's having reached America; and they will easily judge of the motives from which the paragraph, above-mentioned, was published.—To obviate any puzzle, that might arise from Lake's being sometimes seen in the command of the Sloop, RECRUIT, and sometimes in that of the Ship, ULYSSES, I will just observe, that he was a Commander, while in the Recruit, and when he put poor Jeffery on shore; and that, SINCE THAT, he has been promoted to the rank of Post Captain, and has had given to him the command of the Ulysses. I cannot let this remark go, without saying, that in the Papers laid before parliament, the time when the Admiralty first knew of the landing of Jeffery does not appear. It is, therefore, possible, that, though the deed was committed in December 1807, the Admiralty had not heard of it, when they promoted Lake; but, though it is barely possible, that the Admiralty might be ignorant of the deed, SIR ALEXANDER COCHRANE was not ignorant of it. He was apprized of it soon after it took place. He says he was; and that he sent Lake back to look for the man. Well, then, did he apprize the Admiralty of the deed?—Lake's promotion, after the deed, is a thing that lies between sir Alexander Cochrane and the Admiralty; and, I trust, we shall know, very shortly, to whom it belongs.—With this much, by way of Preface, I leave the case to the serious and impartial consideration of my readers.

MR. THOMAS'S LETTER.

Letter from CHARLES MORGAN THOMAS, to Mr. BRADGE BATHURST, dated, Neptune, Fort Royal Bay, Martinico, 24th March, 1809.

SIR;—A freeman of the city of Bristol, which you have so long honourably represented in parliament, takes the liberty to address you, as the only alternative he has against oppression.—In the first place, it will be necessary for me to state, that I lately was Purser of His Majesty's sloop Demerary, but resigned my warrant to Sir Alex. Cochrane, upon condition of being discharged from the Service altogether; the Admiral superseded me, but ordered that I should be detained, being impressed with the idea, that it is possible I might have defrauded Government. When this came to my knowledge, I requested to be sent home, where alone I knew this point could be decided. I was buoyed up with promises, since when two ships have sailed from this express for England, the *Goree* and *Belleisle*, yet still am I detained a Surgeonary for Victuals only, and there

is at present no hopes of an alteration in my circumstances.—The cause of my being kept prisoner is, that I made public my intention to develope certain circumstances, among which one was, that Capt. Simpson, late of the *Star*, made a false muster, and signed bills upon Government before they were due, thereby to enable a Master to desert from His Majesty's service. Lieut. Stuart, late of the *Star*, with a zeal highly laudable, applied to Sir A. Cochrane for a Court Martial on Capt. Simpson, but instead of granting the wished-for enquiry, the Admiral removed Mr. Stuart, and the investigation never took place.—I deem it a duty I owe to humanity, to inform you that Capt. Lake, when Commander of the *Recruit*, set a man belonging to that vessel on shore at Sombrero, an uninhabited island in the Atlantic Archipelago, where he died through hunger, or otherwise, for more was never heard of him. This was likewise known to Sir A. Cochrane, who suffered this *titled murderer* to escape, and he now has the command of the *Ulysses*.—I appeal to the right hon. C. Bathurst, not only as the Member, but as the beloved Member of Bristol, to see one of your friends put in possession of those rights so dear to Englishmen, and of which he has been so unjustly deprived. Voltaire justly observes, that streams always become more impure the farther they are from the fountain-head; this assertion is just, inasmuch as the following facts are incontrovertible; viz. the Transport lately seized at Trinidad, was employed upon speculating purposes. The ransoming enemies has not only been connived at, but encouraged, and the honour of the nation has not only been compromised, but basely abandoned, by a set of wretches, calling themselves Commissioned Officers, but who, in reality, would do better behind counters in Cheapside and Ludgate Hill; but if they make these their prototypes, they fall short, very short of the original.—P. S. I hope you will not construe into disrespect the sealing this with a wafer only, and omitting a cover, as I am obliged to use secrecy, in order to prevent detection.

MINUTES taken at a Court Martial assembled on board His Majesty's Ship Gladiator, in Portsmouth Harbour, on the 5th of Feb. 1810; and continued by adjournment the following day.

CAPT. W. BEDFORD, President:

Captains

Charles D. Pater,	Robert Plampin,
John E. Douglass,	Thomas Rogers,
John Barrett,	John Irwin,
Sir A. C. Dickson, Bt.	Hon. Charles Paget.
Richard H. Pearson,	William Cumberland,
Richard Ragget,	Robert Hall.

The Prisoner was brought in, and audience admitted.—The order from the Lords Commissioners of the Admiralty, dated the 3d of Feb. instant, setting forth that a Letter had

been addressed to their lordships by the rt. hon. C. Bathurst, enclosing a letter to him from Mr. Charles Morgan Thomas, dated His Majesty's ship *Neptune*, Fort Royal Bay, Martinique, the 24th March 1809, in which it is stated, that the hon. Warwick Lake, when commander of His Majesty's sloop *Recruit*, did on the 13th Dec. 1807, cause a seaman of the name of Robert Jeffery, to be landed on the desert island Sombrero, and that in consequence of the said letters, their lordships directed, by their secretary's letter of the 6th of Dec. 1809, Admiral sir Roger Curtis, bart to cause an enquiry to be made into the circumstance above-mentioned on board His Majesty's said sloop *Recruit*; and that the Admiral had transmitted to their Lordships, in his Letter to their Secretary of the 9th Dec. 1809, a Report dated the day preceding, which he had received from the Captains of His Majesty's ships *Caledonia*, *Monarch*, *Bellona*, by which it appears, on examining the log of the *Recruit*, that Robert Jeffery, a seaman of the said sloop, was landed on the island Sombrero on the 13th Dec. 1807, at 6 p. m. and directed to the President to assemble a Court Martial to enquire into the conduct of the said Hon. Warwick Lake, as commander of His Majesty's sloop *Recruit*, upon the occasion above-mentioned, and to try him for having ordered and caused the said Robert Jeffery to be landed on the said island of Sombrero on the 13th Dec. 1807 at 6 p. m. was read.

The Members of the Court and the Judge Advocate, then in open Court, and before they proceeded to trial, respectively took the several oaths enjoined and directed. Then the extract from the said Letter of Mr. C. M. Thomas, the said Report, a Letter from the said Capt. Lake, dated 3d July 1809, an extract of a Letter from the Solicitor of the Admiralty, dated the 12th July 1809, both addressed to the Hon. W. W. Pole: and a Letter from their Lordship's Secretary, enclosing one from Vice Admiral Sir A. Cochrane; were severally read, and are hereto annexed.

Captain Lake delivered a paper writing to the Court, as follows: "I submit that I never disputed or denied the specific charge of landing the man; it stands admitted by my Letter to the Lords of the Admiralty; and I am now willing, in order to save the time of this Honourable Court, to admit the specific charge for which the Lords Commissioners have been pleased to put me on trial by this Honourable Court."

The Court was cleared, and agreed that, notwithstanding the above admission, it was necessary the Court should hear the evidence of the facts, to enable them to form their judgment upon the case.

Mr. EDW. SPENCER, late Master of His Majesty's Sloop *Recruit*, called in, and sworn.

The Judge Advocate asked:—You will be pleased to state to the Court what you know

[401]

of the charge against Capt. Lake?—On the 13th Dec. 1807, standing to the northward, and the island of Sombrero bearing east from the ship, distant from her about a mile and a half (which island is about 5 or 6 leagues from the Dog and Prickly Pear Island, in the West Indies, Capt. Lake came on deck, and came to the gangway, where I was standing, between the hours of 5 and 6 in the afternoon, and asked, What island is this? I answered, it was the island of Sombrero; Capt. L. said, have we not some thieves on board? to which I said, yes; there are two, who have been guilty of theft; Capt. L. immediately said, send up Jeffery here; the man soon came up. Capt. L. told him, he would not keep such a fellow in his ship, and that he should send him on shore. Capt. L. afterwards went up to Lieut. Mould, second Lieut. who was carrying on duty at the time, and spoke to him, but I did not hear what passed. In about a quarter or half an hour afterwards Capt. L. said, bear a-hand, and land the man, and come off. At this time Lieut. Mould was in the boat astern, as was also Robert Jeffery, from the time he was called to the gangway until I saw him pass the gangway, to go into the boat; he was at that time looking for his things, and he was called to go into the boat, over the stern. I did not see the boat put off, but after she was off I heard Capt. L. hail the Lieutenant to bear a-hand, and land the man, and come off again. I have omitted mentioning, that before the man was ordered into the boat, Capt. L. ordered the painter to get a piece of canvas, and paint on it "Thief," which I did not see done. I was on deck between the hours of 7 and 8 when the boat returned, and Jeffery was not then in the boat; the boat was hoisted up, and we made sail to the northward.

The Court asked:—Was there any water or provisions put into the boat that landed Robert Jeffery, for his use? I did not see any; neither did I hear any ordered.—Were his clothes put into the boat? No, they were not; I saw them, the next day I think, on board; he was dressed in a frock and trowsers, not having any hat or shoes on at the time I saw him. On the following day I dined with Capt. L., and just as he was rising up to quit the table, Capt. L. said, I wonder how old friend Jeffery comes on now; I suppose he is got housed by this time.—Are there any houses on Sombrero? None. I was on the island afterwards on the 11th Feb. 1808. I was sent on shore by Capt. L., accompanied by Lieut. Mould, to see if I could see any thing of Jeffery, and see what sort of an island it was. We walked over some part of the island, where we found a great many eggs, and young birds sitting on their nests, not capable of flying away; they are large birds, and when at full size are called Noddies, but could not find any fresh water. I tasted many pools, and it was all salt water which I tasted. The island was entirely

barren, nothing but a kind of rough grass weed, which was in the middle of the island; there was no house or inhabitant on it. On the island I found a remnant of a pair of trowsers much torn, and the handle of a tomahawk or hatchet, which were the only things I found on the island. I did not find Jeffery there, nor any traces of him, for I minutely surveyed every part of the island: it has a craggy ascent, and flat when you get upon it; it is about a mile and a half in circumference. We went back to the ship at 12, according to Capt. L.'s order; we were about an hour and a half at that time on the island. We brought off with us some of the eggs and young birds. We went a second time in the afternoon, and carried with us muskets and slugs to shoot birds, and to look for the man; then it was we found the trowsers. Lieut. Mould and Mr. Hobson and Mr. Salmon went with us. We surveyed the island all over, taking different routes: we did not find the man, nor any traces of him then: we returned about 6 or 7 on board. Capt. L. came to the shore of the island, but did not land, and returned with us on board.

The log-book of His Majesty's sloop was produced, beginning May 1807.

Is that the log-book of the Recruit of that time? Yes.—Who wrote it? Mr. Jones, the Master's Mate, who is dead; he wrote it under my direction.—Did you, from time to time, as Master of the Recruit, examine the entries made therein? I did, at different times; but was not correct in observing every day.—Turn to the entry of the 13th Dec. 1807; and state to the Court when you examined that entry after it was made? It might be several days after.—Do you know that the several circumstances there stated are true and correct? I do; except the words "lowered down boat" and landed Robert Jeffery, seaman, 6. 50. up boat, and made sail." This being omitted by the Master's Mate, who had not inserted it in the log-book, I therefore inserted it myself several days afterwards.—Did you acquaint Lt. Mould that you had made such entry? I did not, as all hands were upon deck at the time the boat was lowered down: Capt. Lake did not know I had made it, but the officers of the ship knew it.—What is the nearest inhabited island to Sombrero? To the best of my knowledge, I think it is Anguilla, which is, I believe, 7 or 8 leagues distance.—At what distance do vessels generally pass from the island of Sombrero? I have heard they pass near, but never saw them; the Recruit was within a quarter of a mile from Sombrero; the channel is about 5 or 6 leagues across, and I have heard that the French fishermen come there turtling.—Had any steps been taken to ascertain if there were any inhabitants on the island previous to Jeffery being ordered to be landed there, or provisions or water? I do not know.—Do you know that there were any eggs or young birds in the island in the month of December, or was it likely, from your observations,

that any were there at the time? I do not know that there were any, but I think it is very likely.—Did Lt. Mould, or any other officer, point out to Capt. Lake what would be the probable fate of Jeffery on that day or the following? Not that I heard.—What distance was the island of Sombrero from the ship the next day? About day-light, the island bore about S. W. and by W. about 5 or 6 leagues distance, being within sight.—Are the Court to understand that if Capt. L. had been so disposed he might then have returned to the island and taken Jeffery off? Yes; I think he might have done it.—How was the wind? About E. S. E.—At the time Capt. L. asked whether there were any thieves on board, did you name Jeffery as one? I did not mention any name.—Do you know why Jeffery's clothes were not sent with him? He did not bring them up with him, and they were not brought up before the boat shoved off. Capt. Lake ordered the boat to shove off, and said, "never mind his things."—Did Lt. Mould bring any message to Capt. L. on his return from Jeffery, expressive of his apprehension of his situation, and desiring to be taken off? Not that I heard.—Did you hear Capt. L. forbid any water or provisions being put into the boat for Jeffery? No; I did not.—Do you know what crime Jeffery had committed, that induced Capt. L. to inflict this punishment on him? I recollect, in Nov. 1807, he was charged with going into the gunner's cabin, and taking out a bottle, with some rum in it; he was punished for it by flogging him, as a man. On the 13th Dec. following he was charged with broaching a cask of spruce beer, which had been brewed for the ship's company, for which he was not punished; but it was proved by some persons who saw him do it.—Do you know of Jeffery's having been guilty of any other crime, subsequent to the punishment he received, besides that of his having broached the cask of spruce beer? Not to the best of my recollection.—What distance is the island of Anegada from Sombrero? I suppose nearly 10 or 11 leagues.—Do you know that there were on the island of Sombrero, at the time Jeffery was landed, any canoe, or any other possible means by which he could have got to that island, being directly to leeward? No; I do not.—Was Jeffery generally considered as a man of a bad or infamous character? He was always considered as a skulking man before he committed the thefts.—From your knowledge of the trade-wind in the West Indies, and the Dog and Prickly Pear Passage, did it strike your mind as probable, that vessels would pass near enough to discover Jeffery on the island of Sombrero? Yes, it did, at the time.—Did you, or any of the officers, to your knowledge, request Capt. Lake to send for Jeffery, on the morning of the 14th, the island then in sight? I did not; neither did I hear any of the other officers.—Did the Recruit return to Barbadoes, or join the Admiral, between the 13th Dec. and 11th Feb.? We returned to Barbadoes,

and, I think, joined the Admiral, before we went to Sombrero again.—Did you suggest to Capt. L. to send provisions with Jeffery, or hear any other person do so? No; I did not.—Did you bring the part of the tomahawk or hatchet you describe to have seen on the island of Sombrero, on board the Recruit? I did.—Did you compare it with the others in the Recruit? No; I did not.—Did you form any opinion what it was, or from whence it came? My opinion was, it was a fisherman's; it was very rough; it was not any thing belonging to the Navy.—Were the trowsers you found of the same sort as those worn by Jeffery? They had the same appearance as trowsers served out in his Majesty's ships.—Did you at any subsequent period afterwards hear Capt. Lake express any apprehensions as to the fate of Jeffery? Not to the best of my recollection, except as I have before stated.—Have you any reason to think, from Capt. Lake's saying he supposed Jeffery had got housed, that he believed the island of Sombrero to be inhabited? I really believe he did.—Was you prevented by fear, or any other motive, from suggesting to Capt. Lake the taking off Jeffery? No; I was not.—Did Lt. Mould give his opinion, as to the propriety of leaving Jeffery on the island? Not that I heard.

Captain Lake asked: You said, "We have two thieves on board;" did you mean Jeffery as one? I did.—How often did Lt. Mould go to the island? To the best of my recollection, he was twice on the 11th of Feb. besides the time he landed the man.—Did you ever hear any report as to what became of Jeffery? I heard it on board the Recruit, I think from Capt. Lake, that it was advertised in an American paper, that the man was taken off the island, and carried to America.—Did you hear it from Mr. Windsor? I heard him say, since I have been at Portsmouth, that he heard it from the Hon. Capt. Crofton.—Did you often report Jeffery to me as a very bad character, and say it would be a very good thing if we could get him out of the ship; that flogging would do him no good? Yes; I did.—Did you conceive, at the time he was landed, that there were houses, or rocks appearing like houses, on the island? At the time I thought there were houses, and did not know that it was not inhabited.

The Court asked:—Considering the description you have given of the island, and the situation of your ship, could you, or any other officer of the ship, have discovered houses, if there had been any there? No, we could not; I think there might have been houses and we not see them; the land rises from the surface of the water above 40 feet, I should think, and therefore we could not see over the island.—Why had you frequently complained of Jeffery to Capt. Lake, and wish him out of the ship? He was generally down below in the watch, and could never be got up on deck: he had not been long at sea; he was a very weak man; and his punishments hurt him very

[405]

much; and I thought such a man had better be out of the ship; I do not mean his flogging; he was started several times by a boatswain's mate with a rope.—What in your conscience was the impression upon your mind, at the time that Jeffery was landed on Sombrero, whether it was a desolate island or not? The impression on my mind was, I did not think it was a desolate island.—Had you any reason to alter that opinion on the return of the boat with Lt. Mould, or before you lost sight of the island? No.—Did you then consider the act of Capt. Lake as very oppressive? I did not consider whether it was oppressive or not; I did not take it into consideration.—How long have you been a Master in the Navy; how long in the West Indies; and how many times have you been in sight of Sombrero, before that time? I shall have been a Master, the 20th of next month, 3 years. I served a-board 4½ years in the West Indies, in a man-of-war, and never was in sight of the island before we landed the man, to the best of my knowledge.—Have you any Instruction Book for navigating in the West Indies? No; but I have seen one.—Did you ever look to see if Sombrero was inhabited, or had wood or water? No; I never did.—Was the Recruit in want of water at the time? I do not recollect.

Mr. JOSEPH ELVY, late belonging to the Recruit, called in, and sworn.

The Judge Advocate asked:—What was you in the Recruit, in Dec. 1807? I belonged then to the after-guard.—State to the Court what you know of the charges against Capt. Lake. On the 13th Dec. 1807, the ship was off Sombrero. About 6 in the evening, Capt. Lake called Jeffery, and told him he should send him on shore on that island; a patch was sewn on to his back, with the word "Thief" on it; Capt. Lake then told Lt. Mould to make haste and land the man, and return. I saw the man go into the boat by order of Capt. Lake; he had on a white frock and trowsers, black hat; I cannot say whether he had shoes on or not; when the boat returned he was not in it.—Are you sure he had a hat on? I am pretty sure.—Were any clothes put into the boat with him? None, that I know of.—Did he ask for his clothes? I did not hear him.

The Court asked:—Were any provisions or water put into the boat? I do not know that there was; I did not see any put in.—Did you hear any orders given by Capt. Lake to prevent any water or provisions being put into the boat? No, I did not.—Was Jeffery considered an infamous character? He had been flogged once for taking rum out of the gunner's cabin.—Do you know that there is any water, or inhabitants, on Sombrero? No.—Did you see any houses there? No.—Do you know, on the return of the boat, that any representation was made to Capt. Lake relative to the situation of Jeffery, or relative to the island itself, either by the officer, or any man who went on shore? No, I do not.—Do you remember

the next morning being in sight of Sombrero? Yes.—Do you know at any time that day, that any representation was made to Capt. Lake respecting Jeffery, with a request of his being taken off, by any person on board the Recruit? No.—Was the situation of the ship such, the next day, that if Capt. Lake had been so disposed, he might have approached the island, and taken the man off? I do not recollect that it was.—What distance was the Recruit from Sombrero, about 5 in the evening of the 13th Dec. 1807? I do not know.—Is it your opinion she was near enough to have discovered houses, had there been any on it? I think we were too far off at that time.—Was she near enough, at any time prior to the man being sent from the ship, to have discovered any houses, if there had been any there? Yes, about a quarter of an hour before he was sent away.—From what you had observed, did you suppose, at the time Jeffery was sent from the brig, that the island was uninhabited? No; I did not know whether it was or not.—Do you know what crime Jeffery had been guilty of to induce Capt. Lake to set him on shore on the island? I believe it was for broaching a cask of spruce beer that same day.—Did you think it a very very cruel and oppressive act, at the time the putting Jeffery on shore? Yes, I did.—Was the ship's company at an allowance of water at the time? I do not recollect.—Was any ship in sight at the time, or boat, when Jeffery was put on shore? No.

FRANCISCO VALA, a Seaman belonging to the Recruit, called in, and sworn.

The Judge Advocate asked:—Was you one of the boat's crew in which Jeffery was taken on shore from the Recruit, and landed on Sombrero? Yes, I was; when the boat was lowered astern, he came into the boat.—How was he dressed? He had white trowsers, white frock, and a straw hat; one of the boat's crew gave him a pair of shoes, Mr. Mould a handkerchief, and another man a knife.—Were any provisions or water put into the boat? No.—Was the man in good spirits, or was he crying? He cried when he went a-shore; he said, Good health to the gentlemen and boat's crew.—Did he ask them to take him on board again? I did not hear him say that.—Did he immediately get upon the rock on the island? Yes.—How high is it? As high as the mizen-top.—Was it difficult to get up? No; any one could get up.—Did you go on shore yourself? Yes; I went about 20 feet on the island.—Was it dark at the time? It was dark.

The Court asked:—How long was the boat on shore? About ¼ of an hour.—Did the Lieut. and boat's crew go upon the rock, to see if there were any houses? Yes; and when they came down, they said there were no houses.—When you put off, did Jeffery cry? Yes; but he did not make any noise.—Was he bleeding at the time? No; I did not see him.—Did Jeffery ask for water or provisions when he was put on shore? No; I did not hear him.

Mr. JAMES HOBSON, *late acting Purser and Clerk of the Recruit, and now Clerk of the Ulysses, called in, and sworn.*

*The Judge Advocate asked:—*Produce the Master Book of the Recruit, turn to the Prisoner's name, and acquaint the Court how it there stands? No. 117, Ship's Book, Robert Jeffery, ordinary, entry 11th Aug. 1807, appearance 25th Aug., run 13th Dec. 1807, at Sombrero island.—Do you know that Jeffery was put on shore on that island by the order of Capt. Lake on that day? Yes.—Was he the person above described? Yes.—By whose order did you put the R. against his name? I believe I did it of my own accord.—Did Capt. Lake know that you had so done? When the ship arrived at Barbadoes, he asked me how he was discharged on the book: I told him I had run him on the books; he said that I ought to have discharged him to Sombrero.—How long was that afterwards? *About six weeks ago.*—Did Capt. Lake direct you to take out the R. and make an entry of his being discharged to Sombrero? Yes.—Why did you not do it? Because I believe I had sent a *Muster Book up previous.*—Had Capt. Lake any knowledge of that Muster Book having been sent away, and of the R. having remained against the name of Jeffery on that book? *He signed that Book, but he did not know that the R. was against Jeffery's name at the time it was sent.*—Before you had entered the R. against the name of Jeffery, had you any conversation with Capt. Lake, as to the mode the entry should be made on the book? No.

*The Court asked:—*What distance was the Recruit from Sombrero at 5 p. m. on the 13th Dec? I was on deck just before the man went away, about 6 o'clock; she was not more than $\frac{1}{4}$ of a mile or a mile then.—Was it at that time sufficiently light and clear for you to see the island? Not distinctly.—From any observations you had made in the course of that day or at that time, did you suppose Sombrero to be inhabited, or not? I thought it was inhabited, at the time.—What reasons had you for forming that opinion? I could not see the island distinctly enough to see any houses: the officers said, at the time, that fishermen resorted to it, and inhabited it, who came there to catch turtle; I heard the first and second lieutenant say so, I think the master, but am not sure.—Do you mean to say, that you understood that the fishermen were occasionally there, or when they went away with fish, they left part of their people there? I understood it was always inhabited by some of them.—Do you know whether any research was made by the officer who landed Jeffery to ascertain that fact? No.—Did you see any person or building on the island yourself; I have already said, it was too dark; I could not discover any thing distinctly.—Was there any report made by the officer, or any person in the boat, on their return, that the island was not inhabited? I heard the officer say, who landed the man (Lieut. Mould) that

he did not think it was inhabited. I have no knowledge that it was stated to Capt. Lake.—Did you, at any period subsequent to the 13th Dec. 1807, hear Capt. Lake express apprehension respecting the fate of Jeffery? No; only when he learnt it was an uninhabited island, he said, he was very sorry it had happened; he would rather have given 20,000*l.* This was after he had been to the Admiral, at Barbadoes.—Do you know when Capt. Lake heard that Sombrero was not inhabited? I believe he heard it when we got to Barbadoes.—Did Capt. Lake tell you so? Capt. Lake told me, he understood that it was an uninhabited island, and that he was going back to see if the man was there, by the Admiral's orders.—How long have you sailed with Capt. Lake? From the 8th March 1806 to the 14th June 1808, and from the 30th May 1809 to this date.—From your knowledge of Capt. Lake, do you think he would have ordered Jeffery to have been put on Sombrero, if he knew it was uninhabited? No; I am almost sure he would not.—Do you know if Capt. Lake, at the time Jeffery was put on shore, directed any inquiry to be made whether the island was inhabited or not? If he did I never heard of it.—Did you see Lt. Mould that night, after he returned from putting Jeffery on the island? Yes.—Did he appear to be distressed at the order he had been directed to execute, or express any regret at it? No; nothing further than I have stated; that he did not think it was inhabited.

*Captain Lake asked:—*Did you hear Lt. Mould ask me leave to go and land the man volunteering to do it? No; I was below.—Have you any, and what knowledge, and by what means, as to what became of Jeffery?—I understood that he had been taken off the island by an American merchant vessel, and conveyed to America: I was told so by the Purser of the Recruit, Mr. Windsor, who said, that Capt. Crofton told him that he had cut the account of it out of an American paper, and that he should give it to him, to take to Capt. Lake, but he could not find it.—Did you hear what was the date of the American paper? No.

6TH FEBRUARY 1810.

Mr. EDWARD SPENSER *called in again.*

*The Court asked:—*At the time Jeffery was sent on shore to Sombrero, did Capt. Lake give any directions to examine whether the island was inhabited or not? Not that I heard.—Did Capt. Lake order his pistols to be brought on deck, at the time? Yes; he did.—You will state to the Court what he said on that occasion?—I did not hear captain Lake make any remark at the time, further than order his pistols to be brought on the deck; and they were laid on the capstan.—By whom were they brought? To the best of my recollection, by Capt. Lake's Steward.—For what purpose were those pistols brought on deck? Really I cannot say; I have frequently known Capt. Lake's pistols brought

on deck, when beating the quarters.—At the time Captain Lake ordered his pistols to be brought on deck, did you notice the state of his mental faculties? No; I did not.—Had you any reason, from his conduct, to suspect him not to be of sound mind at the time? I did not consider myself a competent judge, but I have heard the Surgeon say, that he thought he was a little touched, or insane. At the time he ordered the pistols to be brought on deck, he spoke loud and harsh. I think he was as much in his senses then as he usually was, when carrying on the duty of the ship.—Did you hear Capt. Lake say, if any body mentioned to him the name of Jeffery he would put him to death, or words to that effect? No; I never did.—Did you hear him forbid water and provisions being put into the boat? No; I did not.—Do you mean to say, that Capt. Lake has frequently ordered his pistols to be brought up when not at quarters? I have seen them so often brought up, that I cannot recollect whether pistols have been brought up, when not at quarters, or not.—Have you at one time known Capt. Lake to have ordered his pistols to be brought up, when not at quarters, besides the time before stated? I do not recollect.—Did you see Lt. Mould on the night of the 13th Dec. after he had put Jeffery on shore at Sombrero? Yes.—Did Lt. Mould appear to be distressed at the orders he had been directed to execute, or express any regret at it, either on that night or the next morning? No; he did not, that I heard.—Upon consideration of what passed at the time Jeffery was put on shore, do you still mean to say, that it did not enter into your consideration, whether the act was oppressive or not, or what would be his fate? No, it did not; for I really thought, at the time, that the island was inhabited.—Were there any ships or vessels, or boat in sight, at the time Jeffery was landed on the island? We boarded a vessel a few hours before; but I cannot say whether she was, in sight or not; when the man was landed I did not see her.—Relate to the Court whether Capt. Lake was sober on the evening of the 13th of Dec. 1807, when he ordered Jeffery to be put on shore on Sombrero. I do not think he was perfectly sober.—What quantity of water was there on board the Recruit on the evening of the 13th Dec. 1807? I believe from 17 to 19 tons: not less than 17.—Under the impression of the oath you have taken, since you heard of a Court Martial for the trial of Capt. Lake for leaving Jeffery on the island, have you had conversation with any person as to the evidence you were to give, except Capt. Lake and the Judge Advocate? On my oath, I never have.—In one part of your evidence you say, that the conduct of Capt. Lake was as usual at the time Jeffery was sent on shore, and you have since said that you do not think he was perfectly sober; what are the Court to understand from that? Capt. Lake, after his wine, was usually more elevated than he was in the former part of the day.—Did you see Capt. Lake on the following morning; and at what time? I

saw him when he came on deck, between 8 and 9; I was then officer of the watch.—Was Sombrero then in sight? I think it was; it was at 6 in the morning.—Was Capt. Lake informed of its being in sight? Lieut. Mould had the morning watch, but I do not know whether he informed the Captain or not.—Do you from any circumstance arising from your own knowledge, know that Capt. Lake knew the island was in sight or not? No; I do not.—Was any vessel or boat in sight when you relieved the deck at 8 o'clock? No; there was not.—Do you know whether the pistols laid on the capstan by Capt. Lake's order, on the 13th Dec. 1807, were loaded or not? No; I do not.—Did you see any ammunition produced on the capstan on that evening? No; I did not.

THOMAS JENKINS, *Serjeant of Marines,*
called in, and sworn.

The Judge Advocate asked: You will state to the Court what you know respecting the charge against Capt. Lake. About two years ago the ship was in the West Indies, near an island, whose name I do not recollect; I saw Jeffery sent into the boat by Capt. Lake's order; he ordered the boat to be manned and him into it; I brought him up between decks; he was dressed in a blue jacket, and mother of pearl buttons; I believe he had a hat on; when he went into the boat; I am not positive whether he had a blue jacket on or not.—Were his clothes brought up, and put into the boat? Not to my knowledge; I was not ordered to bring them up.—Do you know why they were not put into the boat? No.—Did he ask for his clothes? No.—Why did you not bring them up? I was never ordered to bring them up.—Did Jeffery express any reluctance at being set on shore? I did not hear him speak.—Was he immediately ordered into the boat, on his being brought up? A few minutes after.—Was any thing said to him by Capt. Lake before he went into the boat? Nothing that I heard, further than to make haste back with the boat.—Did Jeffery at the time he went into the boat, know that he was to be landed and left on the island? Yes; I believe he did.—How do you know? Every person thought so.—Did you see the island from the ship? Yes.—Did you know whether it was inhabited or not? I thought it was.—Why did you think so? It being dusk in the evening, there were large rocks, which appeared like houses.—Could you discover the size of the island? It was about half a mile in length.—Did you hear any directions given by Capt. Lake, to examine whether the island was inhabited or not? No.—Did you hear him direct the officer who commanded the boat, to bring back Jeffery, if he should find it was not inhabited? No.—Were any provisions of water ordered into the boat, for the use of Jeffery? I did not hear of any.—Did you hear any directions given by Capt. Lake, that there should not be any provisions or water, or the man's clothes put into the boat?

I did not hear of any.—Did you hear of any directions given, to search if there was fresh water on the island at the time Jeffery was sent on shore? No.—Was he brought back in the boat? I did not see him; nor have I seen him since.

The Court asked: Was Jeffery considered as an infamous character on board? No; he was confined about a week before for theft.—When you brought Jeffery on the quarter deck, did Capt. Lake state any reasons for landing him? No; not as I heard.—Did you hear Capt. Lake say, that if any man mentioned Jeffery he would put him to death? No.—Did you observe a brace of pistols placed on the capstan? I did not see them.—Did you, on the following day, hear any person remind Capt. Lake that Jeffery was left on the island? No.—After the boat returned, did you understand the island to be uninhabited, or that there was fresh water on it and houses? I thought so; the people were saying, when the boat was going with Jeffery, that he would be starved to death; and Mr. Spencer came up behind, and said, “*You be damned;*” which I thought meant he would do very well.—Did you notice any thing extraordinary in the conduct of Capt. Lake, at the time he sent Jeffery on shore; or did he carry on the duty in a cool, deliberate manner, in his usual way? He appeared to be very passionate at the time, more than usual.—From what you observed at the time, have you any reason to believe that he was not of sound mind at the time when he sent Jeffery on shore? No; I do not know; he was not in such a passion in the morning as he was over-night.—Did you, at any time, think it cruel and oppressive putting Jeffery on shore? No; I thought the island was inhabited.—Relate to the Court whether Capt. Lake was sober on the evening of the 13th of Dec., when he ordered Jeffery to be put on shore on Sombrero? He appeared to me to be sober.—Do you know whether Jeffery took off his jacket before he went into the boat, or was directed to do so? I cannot recollect.

JOHN PEARSON, *Quarter master of His Majesty's Sloop Recruit, called in, and sworn.*

The Judge Advocate asked: Was you Quarter-master at the time when Jeffery was put into the boat? Yes, I was.—State to the Court what you know, and saw, upon that occasion. When he came up, I met him coming along the main-deck: he then had a frock and trowsers, and a blue jacket with mother-of-pearl buttons on it, and a straw hat, and no shoes. When I came aft, he went into the boat, without any jacket on.—Was the Captain on deck? Yes.—What did he say? When the boat was hauled up on the starboard side, Capt. Lake told Mr. Mould to land him, and bear a hand back with the boat.—Did Jeffery show any reluctance to be landed? I did not see him when he went into the boat.—Was he in the boat when she came back? He was not.—Did you see the island from the ship? Yes;

it was about $\frac{1}{4}$ of a mile from us. The island appeared to be 2 or 3 miles long; and the height of it might be as high as a brig's cross-jack yard.—Did you know whether it was inhabited or not? I do not know; I was never on shore.—Did it appear to be inhabited? I do not know.—Did you see any houses or smoke? No.—Was it light enough to have seen it, if there were any? Yes.—Were there any provisions or water put into the boat? No.—Did you hear Capt. Lake order that none should be put in? No.—Were any orders given to search if there was any fresh water on shore? I did not hear it.—Did you see any pistols on the capstan on that evening? No.—Were his clothes put into the boat? No.—Why were they not? I do not know.—Did you hear Capt. Lake threaten to put any man to death that mentioned the name of Jeffery? I did not.—Was he considered an infamous character? He had a good character, as far as I know.—What impression did it make on your mind, the landing of Jeffery; did you think it an act of cruelty and oppression? I thought it was a very cruel thing at the time.—Was the blue jacket taken in the boat with Jeffery or not? I do not know.—You have said, “you thought it a very cruel thing, the putting Jeffery on shore;” what induced you to think so? The people were saying at the time that it was a barren island.—Was that your own opinion? No; I did not know what island it was.

Capt. Lake asked:—Did you see all the island, or only one side of it? I saw all round the west part of it.—Was Jeffery repeatedly accused of theft? He was punished for theft about five days before; he was reported for stealing some rum out of the gunner's cabin.

The Court asked: Had he committed any other theft after that punishment? Not that I know of; it was reported he had broached a cask of spruce beer, a day or two before he was sent on shore.

JOSEPH MOTT, *Captain of the Forecastle of the Recruit, called in, and sworn.*

The Judge Advocate asked: Was you on deck at the time Jeffery was sent out of the Recruit? Yes; off Sombrero. I heard Capt. Lake give orders to have him put into the boat, and landed on the island.—Did he say why it should be done? Yes; on account of taking some spruce out of a cask.—Did Jeffery say any thing? Not in my hearing.—What clothes had he? A frock and trowsers, when I saw him in the boat.—Did he look cheerful or sorrowful? He looked sorrowful.—Did you see any pistols brought upon deck? No.

The Court asked: What impression had it on your mind at the time, leaving Jeffery behind? I thought it was very sorrowful to see a man left on a desolate island like that.—Did you think it a cruel act? Yes.—Did you know it was a desolate island? No; it was dusk. I did not think it was cruel at first; but when we returned, and found it to be a desolate island, I thought so.—Was there a sufficient light to see if there were houses on the

island? There were rocks that looked like houses.—Before you lost sight of the island, could you ascertain if they were houses or not? They did not seem like houses when we got round the rock.—Did you hear Capt. Lake give directions that neither water or provisions or clothes should be put into the boat? I did not hear that.—Have you seen Jeffery since he was landed? No.—Was the brig on the weather or lee side of the island, when the boat was sent away with Jeffery? On the lee side.—Did you run down from the windward? Yes.—At what distance did you pass the island? A mile and a half.—Was there light, at that time, to see if there were any houses or inhabitants on the island, had there been any? I looked, but did not see any; I think there was light sufficient to see them, if there had been any.—When the boat returned from landing Jeffery, do you know that there was any report from the officer or men, of the situation, as to the island, in which Jeffery was left? Mr. Mould said it was a barren place, as he came over the gangway.—Did he tell Capt. Lake so? Not in my hearing.—Did you see Capt. Lake when he ordered Jeffery to be landed? Yes.—Did you then consider him to be in his right senses? The same as usual, only passionate.

DEFENCE.

MR. PRESIDENT, AND GENTLEMEN OF THIS HONOURABLE COURT;—It is not my intention to detain you at any length, by representing to you the painful situation in which I am placed, or of pointing out to you the nature of the charge alledged against me; to men of your honourable minds, such an address can hardly be wanting: indeed, I am convinced it is wholly unnecessary, from the strict attention you have paid to the Inquiry. The accusation against me is of a most serious nature; and I beg leave to ask every gentleman of this honourable Court, whether it has not been brought forward under most singular circumstances. It is suggested by a person I have never seen in my life, but whose character will not bear investigation. I need not remind you, that the character of an accuser ought always to be most scrupulously attended to. When I speak of the accuser, of course I do not mean the Lords Commissioners of the Admiralty, for whom I must ever have the highest respect, but by my accuser, I mean Thomas, who is not here to be confronted by me, and whose charge is couched in a bitterness of spirit which brings down suspicion upon it. It also contains a foul and base assertion, as I trust will manifestly appear the result of this Inquiry; a charge which has occasioned aggravated and unfounded rumours and conjectures against my character. With regard to the fact of landing Robert Jeffery, I have never denied it; I have admitted it in my letter to the Lords Commissioners of the Admiralty, and I was equally ready to admit it yesterday, in order to save the time of this honourable Court; but I do from my heart deny the motives imputed to me. I solemnly de-

clare, I never intended to put Robert Jeffery in any jeopardy by landing him. It appears that his character was bad; his propensity to disobedience and dishonesty was such, as to lead me and others to believe, that punishment would only harden his heart, and confirm him in his bad practices. You will be pleased to recollect the evidence of Mr. Spencer, the chief witness on the part of the prosecution on this point; he himself advised me to get the man out of the ship; and I declare, that by landing him, I thought he would be made more sensible of his want of conduct, and reform in future. I was persuaded, at the time, that the island was inhabited; in addition to which, I cannot but suppose it within your knowledge, that the island is not out of the reach of human assistance. I need not state that it is within the track of vessels on particular destinations, and which frequently pass within sail of the island. Jeffery found this to be the case, and there is no reason to doubt but that he was taken off the island; for it appears, that on a search being made there afterwards for him, one of the witnesses states expressly, that not a trace of him was to be found, which I cannot conceive could have been the case if he had perished there, as is most unwarrantably asserted by Thomas. Gentlemen, I have no doubt he was conveyed to America in perfect safety. I myself verily believe he is in England at this moment, consigned (as it were) to the merchants, out of whose service I pressed him, and who, perhaps, are keeping him concealed till the event of this Court Martial is known, and then he may be let loose upon me, to seek a compensation in damages, by an action at law; the place of his concealment, however, has hitherto eluded the diligence of my agents. I do not expect or desire any statement to be taken on my own assertion, but I stand here on my defence under considerable disadvantages, with several witnesses, whom I consider material on my behalf, now abroad, such as Lieut. Mould, Mr. Salmon the Midshipman, Mr. Boyce the Gunner, and others; among whom I may mention the Hon. Capt. Crofton. I am not, however, left destitute of evidence, for a most important document is now before you; I mean the official report made by Sir A. Cochrane to the Lords Commissioners of the Admiralty, on this subject, and by them transmitted to the Judge Advocate, read by him to this Honourable Court, and now lying on the table. Be pleased to consider attentively the statement made by this official communication; contrast it with the Letter of Thomas, who is my invincible* accuser, and then decide whether he was warranted in asserting, that Robert Jeffery had perished through the inhumanity of one whom he has thought proper to describe as a "titled murderer." Gentlemen, I have stated, that I admit the fact of landing the man, but I deny the motives and consequences alledged against me, and found this denial as well on his character, as on my own belief re-

* Qy. Invisible.

specting the state of the island. I was informed afterwards, on my arrival at Barbadoes, that I was mistaken on this subject, which I must ever deplore; it cannot, however, be denied, that this island is within the observation of passing vessels. For this fact I beg to advert to the evidence on the part of the prosecution; and also to the conclusion of the Letter from Sir A. Cochrane. I must again deny that any fatal consequence befel this man; as to this point, I might safely rest on the presumption of law, in favour of the man's existence, unless his death be proved: as to this, I again beg leave to refer to the evidence before you, and once more draw your attention to Sir A. Cochrane's Letter, whereby he expresses himself fully satisfied as to the man's safety. Gentlemen, it appears, that my Commander in Chief, Sir A. Cochrane, took this affair under his enquiry, with every means of information afforded to him; and the result of his mature and unbiassed judgment was that the case did not require him to try me by a Court Martial, but he did, agreeably to the feelings of his honourable character, enquire into, adjudge, and punish me on the occasion, for I was seriously admonished by him, as he states in his Letter; and what but punishment can that be to a feeling, manly, and honourable mind; I did therefore hope, that this unfortunate event had been sufficiently visited, and that the present Court Martial might have been deemed unnecessary; but I do not mean this as the language of complaint; I bow to the wisdom and justice of the Lords Commissioners of the Admiralty, who have thought it proper to put this matter into a train of further investigation; and some circumstances of my case must make it apparent, that I had no wish to impede or protract the enquiry. I cannot be prevailed upon to speak of myself, but it is possible that you may know, that an early testimony was bestowed upon me (I hope not undeservedly) for having done that, which I admit was nothing more than my duty, and which I do not pretend was worthy of notice. This, however, is a subject which it does not become any man to dwell upon, and I hope to be excused for even alluding to it; but, Gentlemen, when I am presented to your notice cruel and oppressive, am I not vindicated from the charge by the evidence; Mr. Hobson in particular I consider as saying expressly, on his solemn oath, that he does not believe me capable of such acts; for he states, that he is most certain, that I would not have ordered Robert Jeffery to be landed, had I known, believed, or even supposed, that the island was not inhabited. In addition to this, I might (if I could be permitted so to do) adduce the unsolicited and unexpected evidence of a most handsome Letter from the Officers of my own ship. I must ever feel obliged to those gentlemen for addressing it me, whether I am allowed to lay it before this Honourable Court or not. I rely implicitly on your good sense, experience, and

honour, and I look forward to be speedily relieved by your Sentence, from the dark and horrible insinuations which have gone forth, and deeply wounded my peace of mind, and affected my character as a Captain of a British man-of-war. I apologize for occupying so much of your time, acknowledging the attention and interest you have manifested on this occasion, and confidently expecting a favourable result from your feelings of justice and honour, actuated by the Evidence which has been adduced before you; and which, I must submit, does in no respect substantiate the very extraordinary accusation that has been preferred against me.
—Dated 6th February, 1810.—W. LAKE.

SENTENCE.

PURSUANT to an Order from the Right Hon. the Lords Commissioners of the Admiralty, dated the 3d of Feb. instant, and directed to the President, setting forth that a Letter had been addressed to their Lordships by the Rt. Hon. Charles Bathurst, enclosing a Letter to him from Mr. Charles Morgan Thomas, dated His Majesty's Ship Neptune, Fort Royal Bay, Martinique, the 24th of March 1809; in which it is stated, that the Hon. Warwick Lake, when commander of His Majesty's Sloop the Recruit, did, on the 13th Dec. 1807, cause a seaman of the name of Robert Jeffery, to be landed on the desert island of Sombrero; and that their Lordships, in consequence of the said Letters, directed, by their Secretary's Letter of the 6th Dec. 1809, Admiral Sir Roger Curtis, Bart. to cause an inquiry to be made into the circumstances above mentioned on board His Majesty's said sloop Recruit. And that the Admiral had transmitted to their Lordships, in his Letter to their Secretary of the 9th Dec. 1809, a Report, dated the day preceding, which he had received from the Captain's of His Majesty's Ships, Caledonia, Monarch, and Bellona, by which it appears, on examining the log of the Recruit, that Robert Jeffery, seaman of the said sloop, was landed on the island of Sombrero on the 13th Dec. 1807, at 6 P. M. The Court proceeded to enquire into the conduct of the said Hon. Warwick Lake, as commander of His Majesty's said sloop Recruit, upon the occasion above mentioned, and to try him for having ordered and caused the said Robert Jeffery to be landed on the said island of Sombrero on the 13th Dec. 1807 at 6 P. M. And having heard the Evidence produced in support of the charge, and by the said Hon. Warwick Lake, in his Defence, and what he had to allege in support thereof; and having maturely and deliberately weighed and considered the whole,—the Court is of opinion, That the Charge has been proved against the said Hon. Warwick Lake, and doth adjudge him to be dismissed from His Majesty's service; and the said Hon. Warwick Lake is hereby dismissed from His Majesty's service accordingly.